

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

GARY O. HATHAWAY,	)	Civil No. 05-98-CL
	)	
Plaintiff,	)	<b>ORDER</b>
	)	
v.	)	
	)	
ROGUE VALLEY TRANSPORTATION	)	
DISTRICT, et al.,	)	
	)	
Defendants.	)	

**PANNER, Judge.**

After reviewing the affidavits, exhibits, and briefing, the court concludes there are genuine issues of material fact for trial. The Reports and Recommendations (docket # 96, # 97) are not adopted. Defendants' summary judgment motions (# 54, # 58) are denied. This action and Fletes v. Rogue Valley Transport. Dist., CV 05-99-CL, are consolidated for trial.

IT IS SO ORDERED.

DATED this 24th day of October, 2007.

  
Owen M. Panner  
United States District Judge